

JUL 26 2011

PLAINTIFFS OPPOSITION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

I RODNEY SMITH THE PLAINTIFF IN THIS ACTION OBJECT TO ANY REQUEST SEEKING DISMISSAL. IN MY CONTENTION OF REQUEST FOR DISMISSAL I WOULD LIKE TO EXPRESS THAT I MET WITH DEFENDANTS ATTORNEY (MRS. LYNN G. STOCKER) JULY 5, 2011 FOR A DEPOSITION AT SANTA RITA COUNTY JAIL. DURING DEPOSITION I TESTIFIED UNDER OATH AND GAVE AN HONEST AND TRUE ACCOUNT OF THE EVENTS THAT TRANSPIRED THAT JULY 31, 2004 AND THE EVENTS PRECEDING IT: REFERRING TO A NINE MONTH INCARCERATION I SERVED IN 2005-06 STEMMING FROM THE EVENTS OF JULY 2004 FOR BATTERY OF A POLICE OFFICER THAT I NEVER BATTERED. AT DEPOSITION (JULY 5, 2011) I PRESENTED DEFENDANTS ATTORNEY WITH THE FIRST AND LAST NAMES OF SIX WITNESSES WHO WERE PRESENT AT TIME OF INCIDENT, ALONG WITH A WRITTEN STATEMENT OF ONE OF THE WITNESSES WHO CAN CONFIRM MY ACCOUNT OF THE EVENTS, AND WHOM WAS PRESENT. A COPY OF THAT WITNESS ACCOUNT WAS MADE AND RETURNED TO ME. I ALSO EXPRESS THAT A FULL COPY OF THE DEPOSITION HAS NOT BEEN DELIVERED INTO MY POSSESSION, BUT ONLY SNIPPETS THEREOF: BY MAIL I RECEIVED PAGES: 8-13, PAGES 74-77, AND PAGE 91 WITH GAPS BETWEEN THE LISTED PAGES. AND AT NO TIME HAVE I BEEN GIVEN THE OPPORTUNITY TO READ SAID DEPOSITION OR TO MAKE CORRECTIONS TO IT AS REPORTED BY WENDY BROWN, A REP OF PATRICIA CALLAHAN, WHO CLAIMS TO BE...

A DISINTERESTED PARTY. ALSO IN LIGHT OF OPPOSITION TO DISMISS I REFUTE DEFENDANTS CLAIMS TO BE PARDONED BY THE STATUTE OF LIMITATIONS; THIS SUIT HAS BEEN FILED WELL WITHIN THE LIMITS OF ANY LIMITATIONS AND BOTH EVIDENCE AND WITNESSES ARE AVAILABLE. AND WITH FULL REGARD TO THIS CIVIL ACTION BY WHICH A RELEVANT PORTION PERTAINS TO EVENTS THAT OCCURED AS RECENT AS 2005 AND EXTENDED TO 2006 WHICH IN ITSELF IS ANOTHER EXAMPLE OF A GROSS INJUSTICE THAT EXTENDED FROM INITIAL GRIEVANCES AND UNDERLINE THE FORUM FOR VARIOUS CIVIL COMPLAINTS. THEREFORE I HEREBY PLEA THAT MY CLAIM BE UPHELD, AND THAT ALL REQUEST FOR DISMISSAL BE DENIED IN THE INTEREST OF JUSTICE.

A COPY OF THIS DOCUMENT HAS ALSO BEEN FORWARDED TO THE US. DIST. CT OF N. CALIFORNIA
RESPECTFULLY SUBMITTED
DATE 7/22/11

SELF ATTORNEY
RODNEY SMITH
Rodney Smith
5325 BRODER BLVD
DUBLIN, CA 94568

MOTION TO COMPELL DISCOVERY

I RODNEY SMITH THE PLAINTIFF IN THIS ACTION HAVE IN A NATURE OF GOOD FAITH ATTEMPTED TO CONFER WITH DEFENDANTS ATTORNEY "LYNNE G STOCKER" BUT NOT HAVE BEEN SUCCESSFUL IN MY ATTEMPTS TO OBTAIN RELEVANT DISCOVERABLE ITEMS, THEREFORE I WOULD LIKE TO SUMMONS THE COURTS INTERVENTION.

I WOULD ALSO LIKE TO MAKE IT BE KNOWN TO THE COURTS THAT I MET WITH DEFENDANTS ATTORNEY FOR A DEPOSITION, TAKEN JULY 5, 2011 IN A NATURE OF GOOD FAITH AND AT THAT TIME I WAS PRESENTED WITH ITEMS WITHIN THE REALM OF DISCOVERY IN DEFENDANTS POSSESSION THAT I HAD EARLIER REQUESTED AND BEEN DENIED.

RESPECTFULLY SUBMITTED

DATE: 7/22/11

SELF ATTORNEY

RODNEY SMITH

Rodney Smith

5325 BRODER BLVD

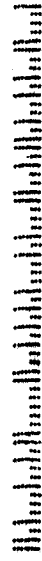
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